

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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| IN RE: FACEBOOK, INC. CONSUMER PRIVACY USER PROFILE LITIGATION | MDL No. 2843 Case No. 18-md-02843-VC |
| This document relates to: <i>All Actions</i> | PRETRIAL ORDER NO. 43: ORDER RE PUBLIC ACCESS TO SPECIAL MASTER HEARINGS |

The Court has received inquiries from the media and from an attorney who represents a plaintiff in a member case (but who is not part of the leadership team) about whether tomorrow's hearing before the Special Master is accessible to the public. Because Facebook's proprietary technology is central to the discovery dispute being addressed at tomorrow's hearing, it shall not be open to the public. However, a transcript of the hearing will be generated, and the transcript shall be placed on the docket. If the parties believe that portions of the transcript should be redacted to protect Facebook's trade secrets, they may file a motion to seal portions of the transcript. The parties are advised to consult the section on motions to seal in this Court's standing order, and they are reminded that overbroad sealing requests may result in sanctions. The issues being litigated in this case are matters of public interest, and the parties may not interfere with the public's right to follow the proceedings any more than necessary to protect information that is truly confidential. The Court anticipates that future hearings before the Special Master involving discovery disputes will be open to the public, except to the extent necessary to protect Facebook's trade secrets or the plaintiffs' sensitive private information.

IT IS SO ORDERED.

Dated: February 16, 2022

A handwritten signature in black ink, appearing to read 'Vince Chhabria', written over a horizontal line.

VINCE CHHABRIA
United States District Judge